

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 8

**REMARKS**

Claims 1-7, 10, 11, 12, 14, 18, 20, and 27 are pending in the present application. Reconsideration is respectfully requested for the following reasons.

Claim 5 was indicated to be indefinite for use of the phrase "can be". This phrase has been amended to become "is adapted to be". This phraseology is commonly accepted by the Patent Office as making it clear that the limitations following the phrase are not part of the claimed invention.

Claim 10 was rejected as being indefinite for using the phrase "the holding arrangement". The phrase "holding arrangement" is found in line 13 of claim 10 (and was found in line 13 of claim 9, which is where the "new" part of claim 10 originates from). Therefore, there is antecedent basis for using this phrase in claim 10.

The rejected claims 13, 15, 17, and 21-25 are canceled.

Accordingly, all pending claims are in condition for allowance based on the recent office action and a Notice of Allowability is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is captioned "Version with Markings to Show Changes Made".

Respectfully submitted,

THOMAS G. FELDPAUSCH ET AL.

By: Price, Heneveld, Cooper,  
DeWitt & Litton

June 27, '03

Date



Daniel L. Girdwood  
Registration No. 34 827  
695 Kenmoor, S.E.  
Post Office Box 2567  
Grand Rapids, Michigan 49501  
(616) 949-9610

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 9

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

In the claims:

Claims 9, 13, 15, 17, and 21-25 have been canceled without prejudice.

Claims 5 and 10 have been amended as follows:

1. (Previously amended) The structure defined in claim 20, including an expandable/collapsible bottom apparatus having a bottom internal frame supporting the top apparatus, and including a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage.
2. (Pending) The structure defined in claim 1, wherein the top internal frame is positioned completely within bottom internal frame when in the collapsed position.
3. (Pending) The structure defined in claim 1, wherein the top and bottom apparatus are interconnected and characteristically do not include loose pieces.
4. (Previously amended) The structure defined in claim 20, wherein the top apparatus forms a roof that is dome-shaped and outwardly concave, such that the top apparatus simulates an umbrella shape.
5. (Amended) The structure defined in claim 1, wherein the top and bottom apparatus have a total height and size comparable to a golf bag when collapsed, such that the structure [can be easily] is adapted to be stored in a vehicle trunk.

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 10

6. (Previously amended) The structure defined in claim 20, wherein the jointed frame members of the top apparatus include an intermediate joint that moves overcenter when the top frame is moved between the collapsed and expanded positions.
7. (Pending) The structure defined in claim 1, wherein the bottom internal frame includes a crisscrossing pattern of pivotally interconnected pairs of frame members that form repeating "X" shapes.
8. Previously canceled.
9. Canceled.
10. (Twice amended) [The structure defined in claim 9] An erectable structure comprising: an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and  
an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the top cover includes a downwardly hanging lower edge and holding arrangement for lifting the lower edge partially upwardly to form windows around the top apparatus, wherein the holding arrangement includes a drawstring operably connected to the top internal frame and connected to the lower edge.

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 11

11. (Pending) The structure defined in claim 1, wherein the bottom internal frame, when expanded, forms a free-standing, self-supporting structure that is stable, even when positioned on uneven ground.

12. (Previously amended) An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the bottom cover of the bottom apparatus includes edges that come together at a corner of the bottom apparatus and that form a door into the structure, the bottom internal frame including bottom frame members having top and bottom ends that are pivotally interconnected to form a scissor frame, at least the top ends of the bottom frame members at the corner being disconnected to form an opening at the door.

13. Canceled.

14. (Previously amended) An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 12

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the bottom internal frame includes bottom frame members and further includes a stake pivotally attached to one of the bottom frame members and the bottom cover, the stakes being movable between a use position oriented toward a ground surface and a storage position oriented away from the ground surface, and including a holder for holding the stakes in the storage position.

15. Canceled.

16. Previously canceled.

17. Canceled.

18. (Previously amended) An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 13

shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the top internal frame includes a repeating pattern of oppositely angled top frame members and an associated peak frame member pivotally interconnected to form a repeating inverted "Y" shape, the top frame members being pivoted to the bottom internal frame, and pivoted to each other, and pivoted to the associated peak frame member at an overcenter joint for movement between the collapsed and expanded positions, the angled and associated frame members moving overcenter when moved between the collapsed and expanded positions; the angled and associated frame members, when in the expanded position, each having an upper surface that engages and supports the top cover along a full length of the angled and associated frame members.

19. Previously canceled.

20. (Pending) A quickly erectable structure comprising:

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover attached to and supported by the top internal frame for movement between an expanded position and a collapsed position, the top internal frame including rigid top frame members pivotally attached together to define a peak where the top frame members extend radially from the peak, the top internal frame further including rigid right/lower and left/lower frame members pivotally attached to a bottom of each one of the top frame members at an overcenter joint, the right/lower and left/lower frame members forming an inverted "Y" shape with the associated top frame member when in the expanded position but forming a dense stack of substantially parallel frame members when in the collapsed position, a lower end of each right/lower frame member being pivotally attached to a lower end of the next adjacent one of the left/lower frame members so that; when expanded, the right/lower and left/lower frame members form a zigzag pattern around and spaced from the peak; and

a releasable support structure attached to the peak and each of the top frame members for selectively holding the top apparatus in the expanded position.

Applicant : Thomas G. Feldpausch et al.  
Appln. No. : 09/817,551  
Page 14

21.-25. Canceled.

26. Previously canceled.

27. (Pending) An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus;

the top and bottom covers defining a slit extending completely around the structure, and including several retainers for holding a selected portion of the slit open to provide a long horizontal opening for viewing out of the structure.